

REMARKS

I. Status of the Application

Claims 1-8 and 10-21 were pending in the Application prior to the Restriction Requirement, and claims 2, 3, and 7 were previously withdrawn. In the Restriction Requirement, the Examiner alleged that the Application contains more than one invention that are not so linked as to form a general inventive concept under PCT Rule 13.1, and as a result, the Examiner has required that Applicant elect between the following groups:

- Group I: Claims 1, 4-6, and 11-15, drawn to a current collecting structure comprising carbon as the active material formed on a current collecting substrate, classified in class 429, subclass 231.4; and
- Group II: Claims 8, 10, and 16-21, drawn to a current collecting structure comprising carbon as the active material or a specified electrochemical active material, classified in class 429, subclasses 213 and 218.1.

In addition, the Examiner alleged that the Application contains claims directed to the following patentably distinct species:

Within Group I (noting that claims 1, 4-6, 14, and 15 are generic)

Species 1: Claim 11; and

Species 2: Claims 12 & 13; or

Within Group II (noting that claims 8, 10, and 21 are generic)

Species 1: Claims 16 & 17; and

Species 2: Claims 18-20.

Applicant was required to elect a single disclosed species within the elected group, and to identify the claims readable on the elected species, for prosecution on the merits.

II. Election and Identification of Invention/Claims

Applicant respectfully elects Group I, and claims 1, 4-6, and 11-15 therein, without traverse, and elects Species 2, and claims 12 & 13 therein, without traverse, noting that claims 1, 4-6, 14, and 15 are generic to either species. Accordingly, Applicant respectfully requests examination and allowance of claims 1, 4-6, and 12-15 of the Application. Applicant expressly reserves the right to file any ultimately unelected/withdrawn claims in one or more divisional applications.

III. Petition for an Extension of Time to Submit the Present Response

Applicant previously petitioned for an extension of time of one (1) month, under 37 C.F.R. § 1.136(a), thereby extending the deadline for response, pursuant to 37 C.F.R. §§ 1.7(a) & 1.136(a), to Monday, June 13, 2011 (taking into consideration that June 12, 2011 falls on a Sunday). As Applicant has previously authorized payment for this extension in the amount of \$65.00, and as the Notice of Non-Compliant Amendment provides a new period of reply (for which the present Response is timely), no further extensions appear to be necessary.

Commissioner of Patents

Serial No.: 10/565,128

Response Date: August 16, 2011

Response to Notice of Non-Compliant Amendment Dated July 19, 2011

and the Restriction Requirement Dated April 12, 2011

Page 9

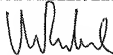
CONCLUSION

It is respectfully submitted that Applicant has made a patentable contribution to the art and that this Response places the Application in condition for allowance. Accordingly, favorable consideration and allowance of claims 1, 4-6, and 12-15 of this Application is respectfully requested.

In the event Applicant has inadvertently overlooked the need for a payment of an additional fee or for an additional extension of time, Applicant conditionally petitions therefor, and authorizes any fee deficiency to be charged to deposit account 09-0007. When doing so, please reference docket number P01901-US-00 (24853.1000).

Respectfully submitted,

ICE MILLER LLP



Mark C. Reichel

Attorney Registration No. 53,509

ICE MILLER LLP

One American Square, Suite 2900

Indianapolis, Indiana 46282-0200

Phone: (317) 236-5882

Facsimile: (317) 592-4606

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